

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA

JEFFREY SNYDER, D.O.,  
an individual,

Plaintiff,

vs.

NO. CIV-16-384-F

BOARD OF REGENTS FOR THE  
OKLAHOMA AGRICULTURAL &  
MECHANICAL COLLEGES, ex rel.,  
OKLAHOMA STATE UNIVERSITY  
CENTER FOR HEALTH  
SCIENCES, et al.,

Defendants.



DEPOSITION OF SANDRA DIANNE COOPER

TAKEN ON BEHALF OF THE PLAINTIFF

IN TULSA, OKLAHOMA

ON OCTOBER 8, 2019

REPORTED BY: JANA C. HAZELBAKER, CSR

**EXHIBIT**

**4**

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1 SANDRA DIANNE COOPER,  
2 having been first duly sworn at 1:10 p.m., deposes  
3 and says in reply to the questions propounded as  
4 follows, to wit:

5 DIRECT EXAMINATION

6 BY MR. STOCKTON:

7 Q Would you please state your full name for  
8 the record?

9 A Sandra Dianne Cooper.

10 Q Ms. Cooper, are you currently employed?

11 A Yes.

12 Q Where do you work?

13 A Tulsa Community College.

14 Q And what is your position with Tulsa  
15 Community College?

16 A Chief human resources officer.

17 Q How long have you held that position?

18 A Since January of 2016.

19 Q And in that role, to whom do you report?

20 A Sean Weins.

21 Q Prior to being the chief human resource  
22 officer for Tulsa Community College, where did you  
23 work?

24 A Oklahoma State University.

25 Q And what was your title at the time that

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1 you left?

2 A Assistant vice-president for human  
3 resources at OSU in Tulsa.

4 Q The job that you have currently as chief  
5 human resources officer at Tulsa Community College,  
6 are you working full time?

7 A Yes.

8 Q And my understanding is -- and I hate to  
9 have to ask you about this, but just so we can talk  
10 about it real quick.

11 A Sure.

12 Q -- is that you're currently going through  
13 some health issues?

14 A Yes.

15 Q Are you able to testify today?

16 A Yes.

17 Q Okay. If you need to take a break at any  
18 time, just let me know. This isn't a marathon --

19 A Sure.

20 Q -- and I don't anticipate we'll be here all  
21 that long, relatively speaking, but if there's  
22 anything you need, just let me know.

23 A Okay. Thank you.

24 Q Is there anything about your health  
25 situation that prevents you from remembering things

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1 Q You worked as the assistant vice-president  
2 of human resources for OSU Tulsa, you said, correct?

3 A OSU in Tulsa.

4 Q And describe for me the organization that  
5 is OSU in Tulsa.

6 A Okay. So in 2002, the human resources  
7 department was one of six departments that merged, if  
8 you will, for both OSU-CHS and OSU Tulsa. So those  
9 departments provided services for both campuses in  
10 Tulsa. And most of those departments housed at OSU  
11 Tulsa campus, but primarily provided services for  
12 OSU-CHS.

13 Q How long was that true? It started in  
14 2002. Did it continue through 2016 when you left?

15 A Continued through today for human  
16 resources. Some departments have changed.

17 Q Okay. At the time you -- well, when did  
18 you leave your employment with OSU Tulsa?

19 A January of 2016.

20 Q And did you resign voluntarily?

21 A Yes.

22 Q How much notice did you give?

23 A Oh, gosh, two or three months.

24 Q And why did you decide to leave?

25 A Because the opening at Tulsa Community



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1 College was one that I wanted for several years.

2 Q Okay. And at the time of Dr. Snyder's  
3 residency, who did you report to in the hierarchy?

4 A Ron Bussert.

5 Q And what title or position did Mr. Bussert  
6 have?

7 A He was vice-president of administration,  
8 finance administration, something like that, at OSU  
9 Tulsa.

10 Q Did you ever talk to him about Jeffrey  
11 Snyder?

12 A Probably not.

13 Q And why do you say "probably not"?

14 A Because he was OSU Tulsa only, and it would  
15 not have been something related to his purview. And,  
16 generally, if it wasn't something related to his  
17 work, I did not discuss it.

18 Q Okay. The situation that you mentioned,  
19 starting in 2002 where the human resource functions  
20 were merged for OSU-CHS and OSU Tulsa, describe for  
21 me what that means in some more detail.

22 How were they merged? Describe that  
23 process.

24 A So prior to that -- well, so in 1999, the  
25 Tulsa campus was -- you know, prior to that it was

1 UCAT, and then Rogers, and then it became Oklahoma  
2 State University. So from '99 forward, that campus  
3 was OSU.

4 And then the CHS campus, of course, was  
5 OSU, and I had been at the OSU campus.

6 And so in 2002, they decided that, you  
7 know, having those two campuses being two miles  
8 apart, that it didn't make sense to have all those  
9 services duplicated.

10 And so there were six departments that --  
11 they decided that it made sense to merge those  
12 departments and have one provider. And so human  
13 resources, accounting, facilities, IT, library and --  
14 there were six. I can't remember what the last one  
15 was.

16 And so, initially, it was -- the directors  
17 were chosen, and then over the next three months,  
18 then the departments were merged and there were  
19 layoffs and such. So --

20 Q Okay. The -- I forget what the term was  
21 used at the last deposition, but -- shared services?

22 A Shared services.

23 Q Was there an agreement, a written agreement  
24 about that, that you knew of?

25 A Probably.

1 Q Okay. In any event, the idea was that the  
2 campuses would share the services relating to human  
3 resources?

4 A Right.

5 Q And that was true in 2014?

6 A Correct.

7 Q Okay. Was that true throughout the 2013 to  
8 2015 time frame?

9 A Yes.

10 Q And as the assistant vice-president of  
11 human resources, your role included human resource  
12 responsibilities over OSU-CHS?

13 A Correct.

14 Q And that was true throughout that 2013 to  
15 2015 time frame?

16 A Correct.

17 Q Describe for me, if you would, what your  
18 job duties were as it related to OSU-CHS, or more  
19 generally, whatever works best.

20 A Sure. So most human resources functions.  
21 Just overseeing most human resources functions. So  
22 hiring, employee relations, the day-to-day HR issues.  
23 So there were some things that were done  
24 out of Stillwater, such as benefit decisions. You  
25 know, we -- we did the day-to-day benefit type

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1 things, but the overarching, you know, benefit  
2 decisions as far as, like, who the carriers were,  
3 that type of thing was done at Stillwater.

4 The day-to-day payroll issues, a lot of the  
5 operational, mostly the HR operational, but employee  
6 relations were generally handled solely out of Tulsa.

7 Q And describe for me what you mean by  
8 "employee relations."

9 A So performance issues, employee conflict,  
10 any kind of harassment issues, discrimination issues,  
11 those types of things.

12 Q And the harassment or discrimination issues  
13 that existed, did you -- again, we'll limit it to the  
14 2013 to kind of 2015 time frame.

15 Did you view your office as having purview  
16 over OSU-CHS students?

17 A Students?

18 Q Well, let's start with students at -- we're  
19 sitting in the medical school, correct?

20 A Uh-huh. Yes.

21 Q Students at the medical school. Was it  
22 your office who would investigate complaints of  
23 harassment or discrimination brought by students of  
24 the medical school?

25 A No.

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1 Q With different institutional obligations?

2 A Yes.

3 Q And when he made a complaint to you, did  
4 you think he did so as a student of OSU-CHS?

5 A No.

6 Q Did you think that he did so as someone who  
7 was academically sponsored by OSU-CHS?

8 A As a -- resident-sponsored, yes.

9 Q And you agreed to investigate his  
10 complaint, correct?

11 A I agreed to look into what -- if -- I  
12 agreed to discuss -- to listen to him, yes.

13 Q Okay.

14 A Initially, yes.

15 Q Do you recall when -- how you first came to  
16 know the name "Jeffrey Snyder"?

17 A I don't recall exactly. I think I first  
18 heard because he e-mailed me. I think that was the  
19 initial introduction was an e-mail from him to me.

20 Q And in that e-mail he was describing his  
21 complaint of gender/disability discrimination?

22 A I believe it was just kind of an outreach  
23 of, "I've got an issue and I'm trying to find  
24 somebody to help me."

25 Q Okay. At the time, had you ever

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1 A The schedule -- the retention schedule.

2 Q And you'll have to forgive me for my  
3 ignorance, but is that a state policy? Could you  
4 describe for me what you're describing?

5 A It's the -- the State has a library -- it's  
6 the -- oh, gosh. It's the records dis- --

7 Q Is it, like, the Open Records Act stuff or  
8 something --

9 A No, it's not the open records. It's the --  
10 this is what I'm talking about with my memory.

11 Q Sure.

12 A I'm sorry.

13 Q That's okay. If you think of it, just let  
14 me know. The --

15 A Records disposition schedule.

16 Q And who authors the schedule?

17 A It's the Department of Libraries, I  
18 believe, something like that.

19 Q And is that with a particular state agency,  
20 that you know of?

21 A I'm drawing a blank on it. It's -- but  
22 it's fairly easy to find.

23 Q Sure. Yeah, I'll find it.

24 A It's real easy to find.

25 Q Yeah. Other than that -- one of the things

1 we've done in this case -- and I don't know if you're  
2 aware of any of this, so I'll just tell you some of  
3 it -- is we issued a -- what's called a 30(b)(6)  
4 Notice to the organization, and with a series of  
5 topics, and you've been designated as the person I  
6 should ask these questions to, and so that's one of  
7 the reasons we're talking to you today.

8 I haven't officially given you the notice  
9 or anything, but I have some questions about policies  
10 and procedures.

11 So other than this, were there other  
12 written policies or procedures that applied to  
13 complaints or their investigation that you were aware  
14 of?

15 A For Oklahoma State University employees  
16 or --

17 Q Well, and so I don't want to really limit  
18 it to -- what types of policies existed, that you  
19 remember, as it applied to a complaint that fell  
20 within your office? Let's start with that.

21 A So there were grievance procedures for  
22 Oklahoma State University employees.

23 Q Any others besides that?

24 A I mean, there were -- there were formal  
25 policies about harassment and discrimination, you

1 about the truth.

2 Q In order to make sure that a thorough  
3 picture was developed through your investigation, you  
4 kind of outlined for me some of the steps that would  
5 lead you to that.

6 A Yes.

7 Q Listening to the complaint, mapping out,  
8 and then conducting your investigation.

9 Throughout that process, did you think it  
10 was important to document what you were hearing and  
11 discovering?

12 A Yes.

13 Q And why was that important?

14 A Because memories fail.

15 Q Did you make it a point to document things  
16 when you had meetings or discussions with  
17 complainants or those you were investigating?

18 A Generally, yes.

19 Q And why did you think -- well, the -- would  
20 you create separate notes, for example, when you were  
21 interviewing the people against whom a complaint was  
22 filed?

23 A Like, separate notes?

24 Q Yes.

25 A What do you mean, "separate"?



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1 Q Well, if you were investigating a complaint  
2 of gender discrimination, and you were investigating  
3 the person or interviewing the person against whom  
4 the complaint was lodged, would you take notes of  
5 that meeting or discussion with the person?

6 A Yes.

7 Q And did you try to take down as much  
8 information as possible so that you would have a  
9 record of what was said during those meetings?

10 A Yes.

11 Q Did you record them with your cell phone or  
12 other --

13 A No.

14 Q -- methods?

15 A No.

16 Q Or video, I suppose.

17 A No.

18 Q And so your notes and memory would have  
19 been the only two sources of information to come out  
20 of those investigation sessions?

21 A Yes. Sometimes I had someone with me to  
22 record notes.

23 Q Okay. Was there a particular person who  
24 did that in the 2013, 2015 time frame?

25 A Frequently, it was Tina Tappana.

1 frustrated about the referral to EAP and not being  
2 able to get answers.

3 I believe he kind of told me some of his  
4 background, just his previous background as well.

5 Q Okay.

6 A So --

7 Q Other than those kind of three general  
8 topics, do you remember anything else Dr. Snyder told  
9 you during this meeting?

10 A Not specifically.

11 Q Okay. At the time of the meeting, did you  
12 have an understanding that he was alleging gender  
13 discrimination?

14 A Yes.

15 Q At the time of the meeting, did you have an  
16 understanding that he was alleging disability  
17 discrimination?

18 A I don't specifically recall. I can't  
19 specifically say yes.

20 Q To the disability?

21 A Yes.

22 Q During this meeting, did you ask him who  
23 potential witnesses were to his complaint?

24 A Most likely.

25 Q Did you ask him who the offending parties

1       were?

2           A       Yes.

3           Q       And who was your -- who did you understand  
4       that to be?

5           A       It would have been Dr. Alexopulos,  
6       Dr. Cotton, Sunny Benjamin, and there was another  
7       individual from the OSUMC HR office that I didn't  
8       know. I don't remember the name.

9           Q       Okay. Deby Nottingham? Does that sound  
10       right?

11          A       Sounds right.

12          Q       Did you ask Dr. Snyder specifics about what  
13       Dr. Alexopulos or Dr. Cotton or Sunny Benjamin did  
14       that formed the basis of his complaint?

15          A       He relayed those to me. I don't think I  
16       had to ask.

17          Q       You felt like you had an understanding of  
18       what Dr. Snyder was complaining about?

19          A       He was very detailed in his -- in relaying  
20       what happened. I do recall that he was -- I didn't  
21       have to ask a lot of questions. He was very -- very  
22       good at relaying his story.

23          Q       And did Dr. Snyder tell you about his  
24       probation, for example?

25          A       Yes.

1 be more interested in expressing anger than trying to  
2 resolve anything.

3 Q Do you recall anything specifically that he  
4 said that led you to believe that he did not seem  
5 interested in resolving anything?

6 A He seemed to want to rehash everything  
7 instead of being focused on resolving. It was -- it  
8 seemed to be about placing blame.

9 Q What did you think was the way he could  
10 resolve the situation at the second meeting?

11 A My recollection is that I really didn't  
12 have much participation in the meeting, if any; that  
13 I ended up being pretty much an observer; that  
14 Dr. Thurman did quite a bit of the talking,  
15 ultimately, and that he proposed -- he ended up  
16 proposing a few different scenarios. And I don't  
17 remember specifically what they were, but they seemed  
18 reasonable to me.

19 Q Prior to this meeting, did you meet with  
20 the participants about the meeting? If that makes  
21 sense.

22 So did you have a meeting with Dr. Thurman  
23 and Dr. Cotton, for example, before the meeting with  
24 Dr. Snyder, about the meeting?

25 A I may have. It's probable.

1           Q     Okay. Do you know whether or not Doug  
2     Price was there?

3           A     I do not recall, but it would be probable.

4           Q     Okay. Do you recall anything that was said  
5     in the pre-meeting by any of the participants?

6           A     No, because I can't even tell you for sure  
7     that we had one.

8           Q     Sure. And in between the time that you met  
9     with Dr. Snyder to receive his complaint and the time  
10    of this meeting in November, how many times had you  
11    verbally talked to Dr. Snyder, like, on the telephone  
12    or in person?

13          A     I only saw him twice in person, and we  
14    talked about those two meetings.

15                On the phone? I'm not sure I ever talked  
16    to him on the phone.

17          Q     Okay. You did communicate with him via  
18    e-mail?

19          A     Yes.

20          Q     Have you gone and looked for all your  
21    e-mails relating to Dr. Snyder?

22          A     I have not because I don't have access to  
23    those.

24          Q     Sure. Fair enough. Do you know whether IT  
25    has gone through your old e-mail archive?

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1           A       Yes, I know that that has happened.

2           Q       Okay. Did you communicate with others  
3 besides Dr. Snyder via e-mail about his complaint?

4           A       I know I communicated with Doug. Beyond  
5 that, I don't recall specifically.

6           Q       And that was via e-mail?

7           A       Some.

8           Q       Did you ever communicate with Dr. Thurman,  
9 Dr. Cotton, Dr. Alexopoulos in writing about  
10 Dr. Snyder?

11          A       I don't specifically recall.

12          Q       Going back to the second meeting with  
13 Dr. Snyder. Did you provide any input into the  
14 options that were being provided to him? I mean, is  
15 that something that you were a part of or -- or what  
16 was your understanding of why you were at this  
17 meeting?

18          A       I was at that meeting because I had -- we  
19 had thought that I had developed a rapport with him  
20 at that first meeting and that that may be helpful in  
21 resolving the situation. And -- but it was  
22 immediately apparent that my presence was not going  
23 to be helpful.

24          Q       And why do you believe that?

25          A       Because when I went to introduce myself to

1 his mother, I believe I was immediately cut off and  
2 ignored.

3 Q Do you remember who asked you to be present  
4 at that meeting?

5 A I believe it was Doug.

6 Q Prior to that meeting, had you met with  
7 Dr. Cotton about Dr. Snyder?

8 A I believe so.

9 Q How many times?

10 A Probably once, maybe twice.

11 Q And was that in person?

12 A I don't specifically recall.

13 Q Let's start with the first time. Do you  
14 remember who else was present?

15 A Probably just myself and her.

16 Q And, typically, when you interviewed  
17 witnesses for an investigation, where did those  
18 interviews take place?

19 A Generally, they were in my office, but with  
20 people such as her where I was trying to accommodate  
21 schedules, I may go to their offices.

22 Q Okay. Do you remember where you were when  
23 you met with Dr. Cotton?

24 A I believe I may have gone to her office. I  
25 have some vague recollection that I went to her

1 office.

2 Q Okay. I know I'm jumping around on you a  
3 little bit, and I apologize, but I want to go back.

4 When you're meeting with Dr. Snyder  
5 concluded during that first hour-plus conversation,  
6 when it was over did you map out an investigation  
7 plan for Dr. Snyder?

8 A Initially, the investigation was to  
9 determine what exactly my role was to be because it  
10 was a fairly unique situation. Normally, I wouldn't  
11 have any involvement.

12 Q When the initial plan was to determine what  
13 your role is to be, is that something you decided or  
14 something somebody else decided?

15 A Someone else.

16 Q Was that Doug Price?

17 A Yes.

18 Q And the unique situation -- I think I asked  
19 you this earlier, I just want to make sure I'm clear  
20 on it, though.

21 Had you ever had a resident --

22 A No.

23 Q -- allege a complaint like this before?

24 A No.

25 Q I know you knew what I was going to ask,



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1 but just so the record is clear.

2 Would it be fair to say that you did agree  
3 to investigate Dr. Snyder's complaints?

4 A So I agreed to -- to look into what I could  
5 do, I believe is what I told them. I would look to  
6 see what I could do.

7 And I believe I had e-mailed him and said I  
8 would investigate, but I believe my intention was to  
9 see what I could do, investigate, see what I could  
10 do.

11 Q The decision-maker about what you could do  
12 was not you?

13 MR. PRATT: Object to the form.

14 THE WITNESS: Correct.

15 Q (By Mr. Stockton) That was Doug Price?

16 MR. PRATT: Object to form.

17 Josh, I mean, we're walking the line really  
18 close, and I want to give you some leeway here, but I  
19 think we're really trying to kind of get into  
20 attorney-client privileged communications. So I -- I  
21 think I'm just going to advise her at this point  
22 to -- questions about what she and Doug discussed, to  
23 not answer those and see if we can work around it.

24 MR. STOCKTON: On the basis of privilege, I  
25 assume?

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1 MR. PRATT: On the basis of privilege, yes.

2 Q (By Mr. Stockton) And did you determine  
3 what your role is to be in relation to your  
4 investigation of Jeffrey Snyder?

5 A So -- so, initially, I believe the hope was  
6 that I could have conversation with the parties to  
7 come to some sort of resolution.

8 Very quickly we learned that Jeffrey had  
9 retained counsel and, at that time, my communication  
10 with Jeffrey stopped.

11 Q Did you -- go ahead.

12 A And I would communicate to Doug, Doug would  
13 communicate with his counsel, and his counsel was to  
14 communicate with him. And I was to not communicate  
15 with him.

16 Q That was your understanding?

17 A Correct. Which is very standard that if  
18 someone is represented by counsel, they are to  
19 communicate with their counsel and not -- so there is  
20 a gap in e-mail communication with me and Jeffrey.

21 And I believe he was aggravated by that,  
22 and there was an e-mail from me communicating to him  
23 that he should speak with his counsel. And that was  
24 between the two meetings. And so -- and I don't --  
25 I'm not sure if his counsel had explained that to him

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1 very well.

2 Q After you communicated what you just  
3 described to Dr. Snyder, he responded to you and said  
4 that his complaint was separate from any issue that  
5 his counsel was handling on his behalf, right?

6 A And that was not our understanding.

7 Q Did you tell him that?

8 A I don't believe so.

9 Q Why not?

10 A I believe it was communicated back through  
11 his counsel.

12 Q Were you told to stop investigating  
13 Dr. Snyder's complaint?

14 MR. PRATT: Object to form.

15 THE WITNESS: I believe at one point my  
16 role was determined to not be as an investigator.

17 Q (By Mr. Stockton) So it sounds like the  
18 answer to that is "yes"?

19 MR. PRATT: Object to form. And I know  
20 we're still working on trying to get into what her  
21 discussions with legal counsel were, so I'm going to  
22 advise her not to answer.

23 MS. VELANDIA: Hey, this is Hilary. We can  
24 hardly even hear Josh now.

25 MR. PRATT: I don't know if this thing's

1 picking up.

2 MR. STOCKTON: I'll speak up. My  
3 apologies.

4 MR. PRATT: We'll all try to speak up.

5 MR. STOCKTON: I'll certify the question.

6 Q (By Mr. Stockton) When did you stop  
7 investigating Dr. Snyder's complaints?

8 A Prior to the second meeting.

9 Q And when that happened, had you talked to  
10 anybody other than Doug Price about Dr. Snyder's  
11 complaints?

12 A We already discussed that I had talked to  
13 Dr. Cotton and --

14 Q At the time it was decided that your role  
15 was not going to include an investigation of  
16 Dr. Snyder's complaints, had you met with Dr. Cotton?

17 A I had met with her previous to that.

18 Q Had you met with her one time or two times  
19 previous to that?

20 A I don't recall if it was one or two.

21 Q Other than any discussions with Doug Price  
22 and your meeting with Dr. Cotton, had you met with  
23 anyone else besides Dr. Snyder, in relation to his  
24 complaints prior to the time that the decision was  
25 made that you were not going to continue to

1 investigate?

2 A I had met with Dr. Alexopulos.

3 Q And how many times had you met with  
4 Dr. Alexopulos prior to that decision being made?

5 A Once.

6 Q Where were you when that meeting took  
7 place?

8 A I don't recall.

9 Q Who else was present?

10 A Just myself.

11 Q What did you discuss with Dr. Alexopulos  
12 during that meeting?

13 A Primarily -- again, it was the medical  
14 judgment and the steps in the -- the steps that were  
15 taken for probation, or whatever the appropriate  
16 terminology is.

17 Q Did you take notes during that meeting?

18 A I'm sure I did.

19 Q What did you do with them?

20 A I would have thought they would be in the  
21 file.

22 Q Have you looked to see if they were?

23 MS. VELANDIA: Josh, can you speak up,  
24 please?

25 MR. STOCKTON: My apologies.

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1 Q (By Mr. Stockton) Have you looked to see if  
2 they were?

3 A I looked in the file when I became aware of  
4 the lawsuit.

5 Q And where was that file located?

6 A It was -- it was in my file cabinet at my  
7 old office.

8 Q At OSU Tulsa?

9 A Yes.

10 Q And were your notes from the Dr. Alexopoulos  
11 meeting in that file cabinet?

12 A I don't recall.

13 Q Would it have been unusual for you to have  
14 not taken notes during the Dr. Alexopoulos meeting?

15 A Yes.

16 Q And do you know whether you did or not?

17 A I don't recall.

18 Q Do you recall giving those notes to  
19 anybody?

20 A No.

21 Q Giving somebody else access to your file  
22 cabinet?

23 A I gave Tina Tappana access to my file  
24 cabinet when I left OSU.

25 Q And when you looked in the file when you

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1 learned of the lawsuit, were your notes in there?

2 A I don't recall specifically.

3 Q And why would you have not maintained notes  
4 relating to your conversation with Dr. Alexopoulos?

5 A I don't recall.

6 Q The meeting that you told me about before  
7 the first one with Dr. Cotton, I believe you told me  
8 it was only you and she in a room?

9 A I believe so. I believe that she and I  
10 met.

11 Q How long did that meeting take place?

12 A I don't recall.

13 Q What about with Dr. Alexopoulos, how long  
14 was that meeting?

15 A I don't recall.

16 Q And the meeting with Dr. Cotton, did you  
17 take notes?

18 A Most likely.

19 Q And where are they?

20 A It would have been the same. They would  
21 have been in the file.

22 Q And sitting here today, you don't know one  
23 way or the other whether they made it to your file?

24 A Correct.

25 Q Can you think of any reason that you would

1 have not taken notes during the meetings with  
2 Dr. Cotton and Dr. Alexopoulos?

3 A No.

4 Q When you left your employment with OSU --  
5 I'm sorry, when was that again?

6 A January 2016.

7 Q Who took possession of your files, do you  
8 know?

9 A Tina Tappana.

10 Q Is she still employed with the University?

11 A Yes.

12 Q Have you asked her about your notes?

13 A Yes.

14 Q And what'd she say?

15 A She was the one that asked me about my  
16 notes.

17 Q What'd she ask you?

18 A She asked me -- she asked me if there was  
19 any other place that they might be.

20 Q And --

21 A And I then came to the office to review the  
22 file and confirmed that all of my notes were in the  
23 file. There wouldn't be any others.

24 Q That you weren't keeping notes separately?

25 A No.



1 Q Is that what you mean?

2 A Correct. That the only -- other than  
3 e-mails and the notes that were in the file would be  
4 the only --

5 Q Did you destroy the notes that you took  
6 during --

7 A Absolutely not.

8 Q Let me finish the question, if you would.

9 Did you destroy the notes that you took  
10 during the meeting with Dr. Cotton or Dr. Alexopoulos?

11 MR. PRATT: Object to form.

12 THE WITNESS: Absolutely not.

13 Q (By Mr. Stockton) Did anybody tell you not  
14 to take notes?

15 A Absolutely not.

16 Q The conversation that you had with  
17 Dr. Cotton, I think you told me that it -- the first  
18 one, that it was in her office.

19 Is it fair to say that during that  
20 conversation you were investigating Dr. Snyder's  
21 complaints?

22 A Yes.

23 Q And the other information that you learned  
24 from Dr. Cotton during that conversation, what was  
25 it?

1 A I'm sorry, could you repeat that?

2 Q Yeah. What did she tell you during that  
3 conversation?

4 A She told me about the medical judgment  
5 issue. She told me about the steps that were taken  
6 regarding probation. And I believe that was all.

7 Q Did you ask her about her perception about  
8 Dr. Snyder's disability?

9 A I don't recall.

10 Q Did you ask her whether she had put in  
11 writing any information about whether she believed  
12 Dr. Snyder was disabled?

13 A I don't recall.

14 Q Did you ask her about her requirement to  
15 have neuropsychological testing of Dr. Snyder?

16 A I don't recall.

17 Q And did you ask her about any comments she  
18 may have made that were gender-based?

19 A I don't recall.

20 Q Do you recall asking her questions  
21 specifically?

22 A I don't recall specific questions.

23 Q Was it a situation where she did most of  
24 the talking and you were listening and asked  
25 follow-ups, or did you go in with an idea of the

1 questions that you wanted answered?

2 A I generally ask for a narrative and ask  
3 probing questions throughout. And then if there's  
4 anything -- I generally have questions ahead of time  
5 that aren't -- and if those aren't answered, I ask  
6 those at the end.

7 Q Do you recall doing that during this  
8 meeting?

9 A I don't recall specifically, but that's  
10 generally how I would have done it.

11 Q The conversation that you had with  
12 Dr. Snyder, you said, lasted over an hour and he was  
13 very detailed?

14 A Yes.

15 Q How did you know what questions to ask  
16 Dr. Cotton during this meeting?

17 A He -- well, he sent me what he told me he  
18 would send me.

19 Q Did you have it with you during the  
20 meeting?

21 A I don't recall.

22 Q Is that standard practice, something you  
23 would have done?

24 A Probably not. I probably would have made  
25 my notes ahead of time.

1 Q And the notes that you made ahead of time  
2 would have been based on your review of the  
3 information he provided along with questions you  
4 might have for Dr. Cotton based on that information?

5 A Correct.

6 Q Where are those notes?

7 A They would have been in the file.

8 Q Have you seen them?

9 A I -- whatever was in the file is -- is all  
10 that's in the file.

11 Q What is in the file?

12 A I don't remember. It's been a year or more  
13 since I looked at it.

14 Q When you kept a file relating to a  
15 complaint, what is typically in it?

16 A The initial complaint and the interview  
17 notes.

18 Q What about documents that you gather as  
19 part of your investigation?

20 A Correct.

21 Q Did you ever gather any documents as part  
22 of your investigation into Dr. Snyder's complaint?

23 A It did not get to that point.

24 Q Why not?

25 A Because the investigation stopped before

1 then.

2 Q The meeting with Dr. Alexopoulos, you  
3 described it for me. You generally would have taken  
4 notes along the same manner that you just described  
5 for Dr. Cotton in terms of questions you needed  
6 answered or things from Dr. Snyder's complaint that  
7 you needed to ask her about?

8 A Uh-huh.

9 Q Correct?

10 A Yeah.

11 Q Other than interviewing these two  
12 witnesses, did you interview any other people as part  
13 of your investigation into Dr. Snyder's complaints?

14 A Not that I recall.

15 Q Do you recall ever having talked to Sunny  
16 Benjamin?

17 A Not specifically, but I can't deny that I  
18 didn't.

19 Q Okay.

20 A I know Sunny, and periodically we would  
21 have conversation, but I can't -- I don't remember  
22 having a formal conversation with her.

23 Q About Dr. Snyder?

24 A I don't remember having -- I can't imagine  
25 having an informal one, so --

1           Q     What was your relationship like from a --  
2     on a professional level with Sunny Benjamin?

3                     Did you have any overlap of  
4     responsibilities?

5           A     No. So occasionally there would be  
6     confusion from employees about who her employer was,  
7     and so -- so sometimes there would be that type of  
8     thing. And so we would, you know, get a call from  
9     someone and so we'd kind of refer them back to the  
10    other. I would see her at different HR events and so  
11    I knew her professionally.

12          Q     Were you friends?

13          A     No.

14          Q     Okay. When you looked at the file after  
15    this case was filed, was there anything in it other  
16    than a single page of notes?

17          A     I don't recall.

18          Q     The decision that was made about concluding  
19    or ending your investigation, I asked you a question  
20    that you didn't quite answer. And it was whether or  
21    not that was a decision that you made or whether that  
22    was made by somebody else.

23          A     So the investigation of what my role should  
24    be was primarily regarding, again, what -- as a  
25    resident, his employer was the medical center. And

1 so any harassment, discrimination complaint would be  
2 against the employer, which -- so I was not the  
3 employer. I was not the employer. I was also not  
4 part of the academic arm. And so my role really was  
5 to help facilitate a resolution.

6 Q But my question was a little more specific  
7 than that.

8 A I'm getting there.

9 Q Okay.

10 A And it quickly became apparent that there  
11 was no need for me to go any further in investigating  
12 anything because the academic unit and the employer  
13 had a responsibility to investigate and not me.

14 Q Was that a decision you came to or somebody  
15 else came to?

16 A That was the action I took.

17 Q Okay. Who did you convey that to?

18 A I conveyed that to Doug.

19 Q Did you ever convey that to Jeffrey Snyder?

20 A That was the -- conveyed to Doug to convey  
21 to his attorney.

22 Q My question, though, was a little more  
23 specific.

24 A Did I convey that to Jeffrey? No.

25 Because -- no.

1 Q Why not?

2 A As I stated before, my communication was to  
3 our counsel to communicate to his counsel. And I was  
4 not communicating to him directly.

5 Q Was that a directive you received?

6 A No, that is --

7 MS. McDUFFEY: Object to --

8 THE WITNESS: -- our practice.

9 Q (By Mr. Stockton) You said that the  
10 academic unit had a responsibility for investigating  
11 Dr. Snyder's complaint, or did I misunderstand you?

12 A Through their process.

13 Q Who is the academic unit?

14 A The residency arm.

15 Q Which, for Dr. Snyder's residency, is who?

16 A Family medicine.

17 Q Is it your testimony that Dr. Snyder should  
18 have limited his complaint of gender discrimination  
19 to the family medicine department?

20 A As far as Oklahoma State University is  
21 concerned?

22 Q As far as expectations for investigating.

23 MR. PRATT: Object to form.

24 Q (By Mr. Stockton) Let me ask a better  
25 question. If it wasn't you who had the obligation to



1 investigate his complaints, who was it?

2 A From an employer's standpoint, it was  
3 OSU Medical Center.

4 Q What about from an academic one?

5 A It was the -- yes, family medicine  
6 residency.

7 Q And who within family medicine was  
8 Dr. Snyder supposed to ask to investigate?

9 A Well, there is a chain of command above  
10 that.

11 Q So who, in essence, was it?

12 A Well, Dr. Thurman is above Drs. Alex  
13 {verbatim} and Cotton.

14 Q And I just want to make sure I understand  
15 your testimony.

16 Is it your testimony that you believe that  
17 Dr. Snyder's complaint of gender and disability  
18 discrimination should have been investigated by  
19 Dr. Thurman instead of you?

20 A Not investigated. Well, it -- I'm not part  
21 of the academic arm, so it should have been referred  
22 to someone in that area. I'm not saying who it  
23 should be.

24 Q Well, I'm asking you, though, who it should  
25 be. Who do you think it should be? You're the

1 vice-president of human resources for OSU.

2 Who was it? Who should he have asked, if  
3 not you?

4 A At that time -- give me a minute to think  
5 of who the players were at the time.

6 Q Sure. Of course.

7 A There was academic administrators that had  
8 appropriate roles for that. I can't tell you who  
9 they were specifically.

10 Q Well, what were their titles?

11 A I can't think of the title. There was --  
12 and I don't even know if he's still here, but there  
13 was an individual by the name of Jonathan Franklin.  
14 And I don't remember what his title was.

15 Q Do you recall what office he was with?

16 A He was in the academic affairs office.

17 Q And where is that office located, or was it  
18 in 2014?

19 A It was here at the medical school. I  
20 couldn't tell you specifically.

21 Q Okay. Somewhere at OSU-CHS?

22 A Yes.

23 Q Did you ever tell Jonathan Franklin that  
24 you have a complaint that needs his assistance?

25 A No.

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1           Q     After you stopped investigating  
2     Dr. Snyder's complaints, are you aware of anyone who  
3     investigated it from the academic side?

4           A     No.

5           Q     After you stopped investigating, that was  
6     it, in terms of investigations, from an academic  
7     standpoint, right?

8           A     I don't know.

9           Q     Other than Jonathan Franklin, are you aware  
10    of any other persons who would have had the  
11    responsibility to investigate Dr. Snyder's complaints  
12    from the academic unit?

13                   MR. PRATT: Object to form.

14                   THE WITNESS: As I mentioned, there is a  
15    chain of command, so there possibly are others.

16           Q     (By Mr. Stockton) Dr. Thurman, you  
17    mentioned?

18           A     Dr. Thurman. There is -- well, there are  
19    others over the residency programs.

20           Q     But for Dr. Snyder's residency, Dr. Thurman  
21    was the chair of the department?

22           A     Uh-huh.

23           Q     Correct?

24           A     Yes.

25           Q     And did you ever tell Dr. Thurman that

1       there was a complaint that needed his attention?

2           A       Dr. Thurman was aware.

3           Q       But did you tell him that he should  
4       investigate?

5           A       I don't believe I said those words.

6           Q       And did you come to any written conclusion  
7       about the fact that you were not -- your role was not  
8       to be an investigator any longer for Dr. Snyder?

9           A       No.

10          Q       That was a conclusion that was reached  
11       about Dr. Snyder's complaint, correct?

12          A       Correct.

13          Q       Why wasn't it written down?

14          A       I don't know.

15          Q       Other than the meeting -- well, let's ask  
16       about this. Dr. Cotton -- you said you met with her  
17       one or two times, and we talked about the first one.  
18                   What about the second time?

19          A       I said one or two times. I don't recall if  
20       there was a second time.

21          Q       Okay. Is there anything you can recall  
22       about a second meeting sitting here?

23          A       If there was a second one, it was in  
24       preparation of the meeting. I don't recall if she  
25       was -- I don't even remember if there was a proper

1 do you want to wait?

2 MR. STOCKTON: That's fine.

3 MR. PRATT: I'm assuming we have quite a  
4 while left to go?

5 MR. STOCKTON: I don't think it's quite a  
6 while.

7 MR. PRATT: Okay. How are you doing? Do  
8 you want to just wait and keep going and then tell us  
9 when -- if you need a break, or would you like to  
10 take a break now?

11 THE WITNESS: A break soon.

12 MR. STOCKTON: Let's just do one now.

13 MR. PRATT: Okay. Thanks.

14 (Whereupon, a recess was had from 3:10 p.m.  
15 until 3:15 p.m.)

16 Q (By Mr. Stockton) All right. Ms. Cooper,  
17 I'm going to hand you what I've marked as Plaintiff's  
18 Exhibit Number 1, which is OSUMC 692. Let me know  
19 when you've had a chance to look at that.

20 A Okay.

21 Q Okay. First question, is this your  
22 handwriting?

23 A Yes.

24 Q All right. Other than this page, are you  
25 aware of any other notes that you've seen that relate

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1 to Dr. Snyder's complaint recently? I guess, any  
2 notes you've seen recently?

3 A Not that I've seen recently.

4 Q Okay. It looks like, and correct me if I'm  
5 wrong, that this is a quick time line of some events  
6 that happened in relation to Dr. Snyder's complaint.  
7 It doesn't appear to be contemporaneous notes of  
8 meetings.

9 A No.

10 Q Do you remember where you were when you  
11 created this document?

12 A No.

13 Q And do you remember why you created it?

14 A No.

15 Q Do you know what the purpose of this is?

16 A No.

17 Q Do you know whether it includes everything?

18 MS. McDUFFEY: Object to form.

19 THE WITNESS: When was the meeting that --  
20 with his mother? Was that in November?

21 Q (By Mr. Stockton) Yes, ma'am.

22 A I can't say for sure.

23 Q Okay. Do you think that it was created  
24 before that meeting, since it's not referenced here?

25 A Yes.

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1           Q     And when you created this document, did you  
2     consult any sources, or were you doing this by  
3     memory?

4           A     Oh, I'm sure I consulted my calendar.

5           Q     Okay. And how did you keep your calendar  
6     back in 2014?

7           A     Every meeting was on my calendar.

8           Q     And was it an Outlook calendar?

9           A     Yes.

10          Q     Did you maintain a physical calendar?

11          A     No.

12          Q     And the Outlook calendar, was it associated  
13     with your OSU e-mail address?

14          A     Yes.

15          Q     When you set up meetings, for example, with  
16     Dr. Cotton and Dr. Alexopoulos, would that have been  
17     pursuant -- would you have created an event for that  
18     in your calendar?

19          A     Yes. It would not have necessarily been an  
20     invite, but it would have been on my calendar.

21          Q     Okay. Looking through this, the -- it  
22     looks like, for example, on August 26th, it says  
23     "E-mail From." And is that a "J"?

24          A     Yes.

25          Q     Does that stand for Jeffrey Snyder?

1 Q And what was the purpose of providing that  
2 notification to Dr. Snyder or anyone else?

3 A Just to acknowledge that we met, and  
4 anything else I needed to convey in that e-mail. I  
5 probably told him I would e-mail him.

6 Q During the meeting?

7 A Uh-huh. Yes.

8 Q Did you tell him during the meeting that  
9 you would investigate his complaints?

10 A I probably said something to that effect.  
11 I probably said I would look into things.

12 Q Did you tell him during that meeting, "I  
13 don't think I have the ability to investigate your  
14 complaints"?

15 A The ability to? What do you mean by that?

16 Q Well, informally, your counsel and I have  
17 been using the word "jurisdiction," but I don't think  
18 that's the right word, so I just happened to come up  
19 with a better one.

20 A Right.

21 Q How would you -- let me ask you. What --  
22 if you had a complaint that you didn't think fell  
23 within your purview --

24 A Right.

25 Q -- how would you describe that?



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1           A     So -- right. So whether or not that that  
2     complaint was one that I -- whether or not I could  
3     help him with his complaint.

4           Q     Maybe a better way to say it is the  
5     "authority" to investigate?

6           A     Correct.

7           Q     Who would you have authority to investigate  
8     as -- in your role in 2014?

9           A     Employees of Oklahoma State University,  
10    employees of OSU Tulsa, and employees of OSU-CHS.

11          Q     At the time of Dr. Snyder's complaints,  
12    Dr. Cotton and Alexopoulos met that bill?

13          A     Correct.

14          Q     For Monday, September 8th, you met with  
15    Doug Price?

16          A     Yes.

17          Q     And I just have to ask the question so  
18    privilege can be invoked, but what was discussed at  
19    that meeting?

20          A     I don't recall.

21          Q     Okay. And it looks like on September 11th,  
22    you had a meeting with Doug, Mackenzie, Cotton,  
23    Thurman and Alex.

24                MR. PRATT: Well, I'll let you ask the  
25    question.

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1 Q (By Mr. Stockton) First, is that accurate?  
2 Did you meet with Doug Price, Mackenzie Wilfong,  
3 Dr. Cotton, Dr. Thurman and Dr. Alexopoulos on  
4 September 11th?

5 A I don't recall that meeting at all.

6 Q There's a note here in your handwriting  
7 that references their names next to a date.

8 Do you see that?

9 A I do see it. I don't recall the meeting at  
10 all.

11 Q Do you think that meeting took place?

12 A It must have.

13 Q All right. You wrote this here because  
14 there was a meeting then?

15 A Correct.

16 Q And sitting here today, you cannot recall  
17 what was discussed during that meeting?

18 A I don't recall what was discussed at that  
19 meeting, and I also wonder if I was there because I  
20 do not recall that meeting.

21 Q Why would you note it here if you weren't  
22 present?

23 MS. McDUFFEY: Object to form.

24 THE WITNESS: Because perhaps it happened  
25 and it was relevant.

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1 Q (By Mr. Stockton) Do you remember why you  
2 thought so, if that's, in fact, what happened?

3 A I don't know because I don't remember it.

4 Q Okay.

5 A So I couldn't -- I really can't answer  
6 anything about it other than that is my handwriting.  
7 That's really all I can answer about it.

8 Q The meeting with Doug Price, do you recall  
9 how long it lasted?

10 A I don't, no. I really don't recall.

11 Q Do you recall where you were?

12 A No.

13 Q Whether it was your office or his?

14 A I don't recall.

15 Q Do you recall having traveled to Stillwater  
16 to meet with Doug Price at any point in time?

17 A No.

18 Q The next line down mentions September 25th,  
19 and there was an e-mail from Dr. Snyder asking for an  
20 update, correct?

21 A Yes.

22 Q And then you note that you responded on  
23 September 29th, an e-mail to Dr. Snyder saying his  
24 attorney has been given frequent updates.

25 Do you see that?

1 Q Prior to this time, did you know whether  
2 that was an issue relating to Dr. Snyder's  
3 complaints?

4 MS. VELANDIA: Object to form. This is  
5 Hilary.

6 THE WITNESS: I don't recall.

7 Q (By Mr. Stockton) And in the e-mail to you  
8 on September 25th, he's asking questions about why --  
9 well, he says, "It's curious to me why OSU was still  
10 pushing for this type of evaluation when they were  
11 not in the proper capacity to make that determination  
12 for me."

13 Do you see that?

14 A Uh-huh. Yes.

15 Q And then he asks you, "Was OSU utilizing  
16 the EAP as the middleman to carry out their requests  
17 and desires?"

18 Do you see that?

19 A Yes.

20 Q And he tells you that, according to an  
21 e-mail, "It says" -- he says -- "I have recommended  
22 the fitness-for-duty evaluation, but the attending  
23 physicians are pushing for a neuropsych eval. The HR  
24 supervisor is concerned about violating ADA."

25 Do you see that?

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1 A Yes.

2 Q Once you received this e-mail from  
3 Dr. Snyder, did you investigate the complaint that he  
4 made that the "attending physicians are pushing for a  
5 neuropsych eval"?

6 A No.

7 Q During the prior discussions you had with  
8 Dr. Cotton or Dr. Alexopoulos, did you ask them about  
9 whether or not they were pushing for a neuropsych  
10 eval after the fitness-for-duty evaluation?

11 A I do not recall.

12 Q In response to Dr. Snyder raising this  
13 issue with you on September 25th, you responded on  
14 September 29th, correct?

15 A Yes.

16 Q And the e-mail that you sent in response  
17 is -- starts on the bottom of Plaintiff Snyder 2930  
18 and goes over to 2931, and is dated September 29th,  
19 right?

20 A Yes.

21 Q And you tell Dr. Snyder that you did meet  
22 with Dr. Cotton and Alexopoulos, as well as OSU legal  
23 counsel, right?

24 A Yes.

25 Q And that you had a follow-up call on Friday

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1 to get an update?

2 A Yes.

3 Q That you understood progress was being made  
4 on the two main issues we talked about, access to the  
5 EAP report and your appeal.

6 Do you see that?

7 A Yes.

8 Q In the complaint below, though, Dr. Snyder  
9 was raising other issues besides the EAP report and  
10 the appeal, correct?

11 A Yes.

12 Q And you decided not to investigate that,  
13 right?

14 A I did not address those.

15 Q Did you investigate them?

16 A No.

17 Q Why not?

18 A I don't recall.

19 Q You mention that, "The OSU attorneys have  
20 been in frequent contact with your attorney on these  
21 items," referring to the EAP report and the appeal,  
22 right?

23 A Yes.

24 Q And then you told him to call his lawyer if  
25 he wanted an update on that?

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1 Q Did you ask Dr. Snyder any questions about  
2 that?

3 A No.

4 Q And even though you knew he was represented  
5 by counsel, you were communicating with him on  
6 September 29th?

7 A Yes, I did.

8 Q You did not tell Dr. Snyder on  
9 September 29th that you were not allowed to  
10 communicate with him because he was represented by  
11 counsel?

12 A I didn't say that I wasn't allowed to.

13 Q The e-mail that you sent on September 29th,  
14 do you think that that's the last e-mail that you  
15 provided Dr. Snyder, aside from the one that starts  
16 this exhibit on Plaintiff Snyder 2929, which is an  
17 automatic e-mail?

18 A As far as I recall.

19 Q Okay. And did you ever tell Dr. Snyder,  
20 "I'm no longer investigating your complaint"?

21 A Not that I recall.

22 Q Do you think he had a right to know that  
23 information?

24 A Yes.

25 Q Why didn't you tell him that?

1           A     I believe it was communicated through  
2     counsel, is what I believed.

3           Q     Do you know whether that happened?

4           A     I don't directly know.

5           Q     In the e-mail Dr. Snyder sent you on  
6     September 29th, that's at Plaintiff Snyder 2930, in  
7     the middle paragraph it says that, "Perhaps you or  
8     the other OSU attorney can decide who would be  
9     appropriate to investigate." and it goes on.

10                  Do you see that?

11          A     Yes.

12          Q     Was that information ever provided to  
13     Dr. Snyder, to your knowledge?

14          A     I don't recall.

15          Q     It is fair to say that in this e-mail  
16     Dr. Snyder sent, he was asking you to take his  
17     complaint seriously and investigate it through the  
18     proper channels?

19          A     Yes.

20          Q     Did that happen?

21                  MR. PRATT: Object to form.

22                  THE WITNESS: I do not have that knowledge.

23          Q     (By Mr. Stockton) Do you know of anyone  
24     investigating his complaint other than you?

25          A     No. I do not have that knowledge.



1 Q Yeah. Sitting here today, can you identify  
2 anyone else who investigated his complaint besides  
3 you?

4 MS. McDUFFEY: Object to form.

5 THE WITNESS: I cannot.

6 (Whereupon, Plaintiff's Exhibit Number 3  
7 was marked for identification purposes and made a  
8 part of the record.)

9 Q (By Mr. Stockton) I'm going to hand you  
10 what I've marked as Plaintiff's Exhibit Number 3,  
11 which is Plaintiff Snyder 2934 through 2940.

12 A Okay.

13 Q Okay. And we'll start at the front because  
14 it kind of overlaps with what we just looked at. But  
15 the first e-mail is the same one we just looked at.

16 And then if you go to the second page,  
17 there is a -- looks like a typed version of that with  
18 an e-mail at the bottom of it.

19 Do you see that?

20 A Uh-huh.

21 Q And do you recall having reviewed this when  
22 Dr. Snyder provided it to you?

23 A I don't specifically recall at the time,  
24 no.

25 Q Did you discover or ask anyone who Jessica

1 Heavin was?

2 A At the time?

3 Q Correct.

4 A I probably did.

5 Q Do you remember who you asked?

6 A I probably asked -- I probably would have  
7 asked Dr. Alexopoulos.

8 Q And do you recall what she told you?

9 A I don't. I don't know if she was with the  
10 medical center or if she was with the EAP. I don't  
11 recall.

12 Q What's your understanding of what an EAP  
13 program does?

14 A EAP program provides --

15 MS. VELANDIA: Object to form.

16 THE WITNESS: -- provides employee  
17 assistance with a variety of things. It can provide  
18 employee counseling, provide referrals, can  
19 provide -- and just work/life assistance, can provide  
20 assessments.

21 Q (By Mr. Stockton) And when Dr. Snyder  
22 provided you this information, you had an  
23 understanding that he had been referred to the EAP?

24 A Correct.

25 Q You knew that he had been referred to a

1 fitness-for-duty evaluation, as well?

2 A Yes.

3 Q And you knew that Dr. Cotton had originally  
4 requested that he have a neuropsych evaluation?

5 A Yes.

6 Q And when you see this e-mail and read it,  
7 did it cause any concerns for you?

8 A Yes.

9 Q And tell me about those.

10 A Being unaware of their processes, being  
11 aware -- excuse me, being unaware of their processes,  
12 being unaware of their EAP, it was hard to know  
13 exactly whether they were following their procedures,  
14 whether this was normal protocol to request a  
15 neuropsych eval at this stage, especially since, you  
16 know, they were -- there were concerns about -- or  
17 expressing concerns about violating the ADA.

18 It -- as an HR professional, I thought it  
19 seemed concerning, but I didn't really have enough  
20 information about OSUMC's, policies, procedures,  
21 protocols to have full judgment.

22 Q And you were not able to resolve those  
23 concerns or come to a full judgment during the course  
24 of your investigation?

25 A Correct.

1           Q     How many times have you been provided  
2     information where, in writing, there is a reference  
3     to an HR supervisor being concerned about violating  
4     the ADA?

5           A     I don't recall others.

6           Q     This was a major red flag to you, right?

7           A     Correct.

8           Q     Something that should be investigated?

9                 MS. McDUFFEY: Object to the form.

10                MR. PRATT: Same.

11                THE WITNESS: Investigated by someone.

12           Q     (By Mr. Stockton) Okay. But somebody  
13     should get to the bottom of it?

14           A     Someone.

15           Q     And if the e-mail is correct, that  
16     Ms. Heavin recommended a fitness-for-duty evaluation  
17     but the attending physicians were pushing for a  
18     neuropsych eval, that's something you would want to  
19     get to the bottom of, or someone should?

20                MR. BRUCE: Form.

21                MS. McDUFFEY: Object to form.

22                MS. VELANDIA: Object to form.

23                THE WITNESS: It should be what the  
24     process -- they should follow their process about  
25     what the proper testing should be, to follow that.

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1 of sex and disability, with subsequent documentation.

2 Q And this is information that he provided to  
3 you during your investigation?

4 A I believe so.

5 Q Did you review it prior to the time that  
6 you met with Dr. Cotton about his complaint?

7 A I believe so.

8 Q Did you maintain this information in a file  
9 that you kept on Jeffrey Snyder?

10 A I believe I maintained it electronically.

11 Q And tell me about that. How did you  
12 maintain it electronically?

13 A I maintained e-mails electronically.

14 Q Did you open a file for Dr. Snyder  
15 physically?

16 A Like, a -- I did not print e-mails, so  
17 e-mails were saved electronically.

18 Q As part of your routine practice, if you  
19 received a complaint that you were going to  
20 investigate -- for example, when I have a new case I  
21 open up an electronic file.

22 A Uh-huh.

23 Q Did you do the same thing electronically  
24 for investigations that you conducted?

25 A Uh-huh. Yes.

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1 Q Did you open any kind of physical file as  
2 part of those investigations typically?

3 A Yes.

4 Q And where were the electronic files kept  
5 for investigations in 2014?

6 A So the electronic files would be part of my  
7 Outlook.

8 Q Did you -- do you know what File Explorer  
9 is? Like, the folders on a computer --

10 A Correct.

11 Q -- or on PCs anyway?

12 A Yes.

13 Q Did you open a new folder -- create a new  
14 folder for Dr. Snyder and save a bunch of stuff in  
15 there relating to him?

16 A Most likely, yes.

17 Q And was that on OSU servers?

18 A Yes.

19 Q Did you create anything on a personal  
20 computer that was not backed up to some other system?

21 A No.

22 Q The physical files that you maintained  
23 would have included things like your notes that we  
24 looked at and --

25 A Anything handwritten.

1           Q     Okay. Did you review those files to  
2     prepare for today's deposition?

3           A     Which? The --

4           Q     Either the electronic file that you  
5     maintained, or printed out copies of it, or anything  
6     in the physical copy file?

7           A     Just the documents that I mentioned  
8     previously.

9           Q     Okay. We talked about a little bit ago  
10    that you told Dr. Snyder you would begin your  
11    investigation immediately, correct?

12          A     Yes.

13          Q     And then thereafter a decision was made to  
14    end that investigation, correct?

15          A     Yes.

16          Q     How many times has that happened during  
17    your 20-year career with OSU?

18          A     I really don't know.

19          Q     Sitting here today, can you think of  
20    another time where that's happened?

21          A     I can't say that it hasn't happened before,  
22    but I can't point to a specific instance. Generally,  
23    it would be if something were to be resolved, there's  
24    some sort of resolution before an investigation ends.  
25    That happens frequently before an investigation is

1 Dr. Alexopoulos, Sunny Benjamin, Deby Nottingham, any  
2 of those folks or anyone else relating to Dr. Snyder  
3 that you haven't already told me about?

4 MS. McDUFFEY: Object to form.

5 THE WITNESS: Not that I recall.

6 Q (By Mr. Stockton) After the November  
7 meeting that you attended, did you meet with the  
8 other attendees outside of Dr. Snyder's presence?

9 A I believe there was some meeting of some  
10 sort, and I don't remember -- I don't remember  
11 exactly when, how, where, regarding the letter that  
12 was sent to him and the wording of the letter.

13 Q The dismissal letter?

14 A No, the letter giving him his options.

15 Q Okay. The November -- some of us --

16 A The letter from that meeting that said, you  
17 know, here's some choices for you. That -- the one  
18 he didn't respond to.

19 Q What was your involvement with -- in the  
20 meeting relating to the wording for that letter? Or  
21 let me ask this.

22 Do you remember who was present?

23 A No, but I --

24 Q Was Doug Price present?

25 A I would assume so. I -- I think I had



1 minimal involvement in it. If it's -- I think my  
2 involvement probably was, "Yes, this was what we  
3 discussed in the meeting, or this was what was  
4 expressed in the meeting," to confirm it. Since I  
5 was present, that was probably -- that was probably  
6 what my involvement was, was to confirm that that was  
7 what was expressed. I don't remember it being much  
8 more than that.

9 Q Do you remember raising any concerns during  
10 any of these meetings, privately, to anyone, relating  
11 to Dr. Snyder?

12 A Concerns?

13 Q Yeah.

14 A Such as?

15 Q We need to make sure that we're not  
16 retaliating against him.

17 A My -- my understanding was that the goal  
18 was to -- to make him successful.

19 Q Were you providing human resources advice  
20 during the meetings that you attended? Is that why  
21 you thought you were there?

22 A Generally, my presence was to assist in  
23 resolving this in a way that would help Dr. Snyder be  
24 successful.

25 Q Did you provide human resources advice?

1 A Minimally.

2 Q Did you provide that to anyone other than  
3 Doug Price?

4 MS. McDUFFEY: Object to form.

5 Q (By Mr. Stockton) In other words, I'm  
6 trying to figure out whether it's a privileged  
7 conversation or not.

8 So did you provide human resources advice  
9 outside of a communication with counsel?

10 A Not that I recall.

11 Q Okay. Do you recall providing human  
12 resources advice, regardless of its substance, to  
13 Doug Price?

14 A Not that I recall.

15 Q Okay. Other than the conversations you've  
16 told me about, are there any other conversations you  
17 had relating to Dr. Snyder that you remember sitting  
18 here today?

19 A No.

20 Q Did you attend any meeting in which  
21 Dr. Snyder's dismissal was discussed, specifically  
22 whether or not he had abandoned his position?

23 A Vaguely.

24 Q Okay. That was a meeting you were at,  
25 though, right?

1 A No.

2 Q And why not?

3 A Because he was not an employee of Oklahoma  
4 State University, and he was also not a student of  
5 Oklahoma State University, which are the two types of  
6 complaints that I would typically see.

7 Q So when you received his complaint, did it  
8 make things less clear?

9 MR. STOCKTON: Object to the form.

10 Q (By Mr. Pratt) In regard to -- let me reask  
11 it.

12 Did it make things less clear as to what  
13 your responsibilities were in regard to his  
14 complaint?

15 MR. STOCKTON: Object to the form.

16 THE WITNESS: It was very gray as to what  
17 the responsibilities were on behalf of Oklahoma State  
18 University, correct.

19 Q (By Mr. Pratt) What did you believe your  
20 role to be in regard to Dr. Snyder and his complaint?

21 A I believed my role was to find a resolution  
22 that would help Dr. Snyder be successful.

23 Q And why did you believe that to be your  
24 role?

25 A Because I had previously held that role on

1           Q     In relation to Dr. Snyder, you testified  
2     that your role was to find a resolution to help  
3     Dr. Snyder be successful.

4                     Do you recall that?

5           A     Yes.

6           Q     What do you believe was the resolution?

7           A     So, like, in her situation, in the student  
8     situation, it was -- there was a -- I don't recall  
9     the specifics, but there was something -- kind of a  
10    remediary (sic) way to get her back into -- back --  
11    get her back into the program and to get her  
12    successfully back into where she could become a  
13    physician.

14                    And so that was the hope is that we could  
15    come up with some solution that -- where Dr. Snyder  
16    would be able to, you know, regain his training.

17           Q     And return to the family medicine  
18    residency?

19           A     Yes.

20           Q     Did you ever propose potential resolutions  
21    to anyone?

22           A     Didn't get that far. And then we got to  
23    that meeting where Dr. Thurman proposed solutions,  
24    and that was kind of where we were at with that  
25    meeting was -- that was to propose -- where we were

1     wanting to propose solutions. That was really the  
2     point of that meeting.

3           Q     As far as you can recall, was that when  
4     your involvement ended was that meeting?

5           A     I believe so.

6           Q     And then you mentioned that "we" were  
7     trying to find solutions for Dr. Snyder.

8                     Who is the "we"?

9           A     OSU.

10          Q     Dr. Cotton?

11          A     Just OSU.

12          Q     Did that include Dr. Cotton?

13          A     Yes. "We" would be all the parties we  
14     talked about. "We" would be family medicine,  
15     Dr. Thurman, Dr. Alex, Dr. Cotton, yes.

16          Q     And so you viewed your role as working with  
17     those individuals to help find a resolution to help  
18     Dr. Snyder be successful?

19          A     Yes.

20          Q     And not to investigate his complaint?

21          A     My investigation of his complaint was  
22     primarily to find a way to help him be successful, to  
23     find -- to help find a way to help him be successful.

24                     MR. STOCKTON: Pass the witness.

25                     THE WITNESS: Does that make sense?